

**ENTERED**

October 08, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

UNITED STATES OF AMERICA

§

VS.

§

Criminal Case No. 6:21-CR-00121-003

§

ADRIAN KEVIN CAMPBELL

§

§

ORDER ACCEPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court is the August 24, 2021 Memorandum and Recommendation (“M&R”) signed by Magistrate Judge Julie K. Hampton. (Dkt. No. 88). In the M&R, Magistrate Judge Hampton recommends that the Court deny *pro se* Defendant Adrian Kevin Campbell’s Motions to Dismiss.<sup>1</sup> (Dkt. No. 88). The Motions to Dismiss ask the Court to dismiss Campbell’s criminal charges because the United States lacks subject matter jurisdiction and standing. (Dkt. No. 69); (Dkt. No. 70). Campbell timely filed objections. (Dkt. No. 102); (Dkt. No. 106). *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(2). He subsequently filed seven additional objections that largely raise the same arguments.<sup>2</sup> The United States did not object to the M&R.

The Court has conducted *de novo* review of the M&R, the objections, the record, and the applicable law. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). A district court conducting *de novo* review “may accept, reject, or modify, in whole or in part, the findings

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<sup>1</sup> On July 26, 2021, Judge Hampton found Campbell competent to represent himself. Assistant Federal Public Defender Francisco Morales is stand-in counsel. *See* (Dkt. No. 67).

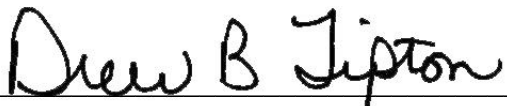
<sup>2</sup> *See* (Dkt. No. 109); (Dkt. No. 111); (Dkt. No. 112); (Dkt. No. 113); (Dkt. No. 114); (Dkt. No. 116); (Dkt. No. 120). Magistrate Judge Hampton construed each of these filings as objections to the M&R. (Dkt. No. 110); (Dkt. No. 115); (Dkt. No. 117); (Dkt. No. 121).

or recommendations made by the Magistrate Judge” and “may also receive further evidence or recommit the matter to the Magistrate Judge with instructions.” 28 U.S.C. § 636(b)(1); *see also* Fed. R. Crim. P. 59(b)(3).

Campbell’s objections are frivolous. As the M&R explains, the Federal Rules of Criminal Procedure were followed while charging and indicting Campbell, and any argument about standing in this criminal prosecution is misplaced. *See* 18 U.S.C. § 3231; *United States v. Daniels*, 48 F. App’x 409, 418 (3d Cir. 2002) (per curiam). The Court overrules Campbell’s objections and **ACCEPTS** the M&R. Accordingly, the Court **DENIES** Campbell’s Motions to Dismiss. (Dkt. No. 69); (Dkt. No. 70).

It is SO ORDERED.

Signed on October 8, 2021.

  
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DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE